

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Chiang et al.  
Title: FLUORESCENCE ENERGY  
TRANSFER BY COMPETITIVE  
HYBRIDIZATION  
Appl. No.: 09/031,087  
Filing Date: 2/26/1998  
Examiner: Joyce Tung  
Art Unit: 1637  
Confirmation Number: 8207

**APPEAL BRIEF TRANSMITTAL**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Appeal Brief in the above-identified application.

[ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$130.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$490.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,730.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the fifth month:	\$2,350.00	\$2,350.00
EXTENSION FEE TOTAL:			\$2,350.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$140.00	\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract 1/3 of above):		\$0.00
APPEAL BRIEF FEE: 1			\$540.00
TOTAL FEE:			\$2,890.00

The above-identified fees of \$2,890.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 02/08/10

By Barry S. Wilson

FOLEY & LARDNER LLP  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6722  
Facsimile: (858) 792-6773

Richard J. Warburg, Reg. No. 32,327  
By Barry S. Wilson, Reg. No. 39,431  
Attorneys for Applicant